

Dec 02, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

HEATHER ELAINE KEATING,

Defendant.

No. 2:19-CR-00111-WFN-10

ORDER GRANTING
DEFENDANT'S MOTION FOR
RELEASE PENDING TRIAL

MOTION GRANTED
(ECF Nos. 439)

Defendant having completed inpatient substance abuse treatment, now moves the Court for an order permitting her to remain out of custody on conditions pending trial herein. Defendant recites in her motion that neither the United States, nor U.S. Probation oppose this request.

Being fully advised, the Court finds that there are conditions that will reasonably assure the safety of the community and Defendant's appearance for future proceedings.

Accordingly, **IT IS ORDERED** Defendant's Motion, **ECF No. 439**, is **GRANTED**. Defendant shall be released on the following:

STANDARD CONDITIONS OF RELEASE

- (1) Defendant shall not commit any offense in violation of federal, state or local law. Defendant shall advise the supervising Pretrial Services Officer and defense counsel within one business day of any charge, arrest, or contact with law enforcement. Defendant shall not work for the United States government or any federal or state law enforcement agency, unless Defendant first notifies the supervising Pretrial Services Officer in the captioned matter.

- 1 (2) Defendant shall immediately advise the court, defense counsel and the U.S.
2 Attorney in writing before any change in address and telephone number.
- 3 (3) Defendant shall appear at all proceedings as required and shall surrender for
4 service of any sentence imposed as directed.
- 5 (5) Defendant shall not possess a firearm, destructive device or other dangerous
6 weapon.
- 7 (6) Defendant shall report to the United States Probation Office at such times and
8 in such manner as they direct.
- 9 (7) Defendant shall contact defense counsel at least once a week.
- 10 (8) Defendant is further advised, pursuant to 18 U.S.C. § 922(n), it is unlawful
11 for any person who is under indictment for a crime punishable by
12 imprisonment for a term exceeding one year, to possess, ship or transport in
13 interstate or foreign commerce any firearm or ammunition or receive any
14 firearm or ammunition which has been shipped or transported in interstate or
15 foreign commerce.
- 16 (9) Defendant shall refrain from the use or unlawful possession of a narcotic drug
17 or other controlled substances defined in 21 U.S.C. § 802, unless prescribed
18 by a licensed medical practitioner in conformance with Federal law.
19 Defendant may not use or possess marijuana, regardless of whether Defendant
20 has been authorized medical marijuana under state law.
- 21 (10) Defendant shall surrender any passport and Enhanced Driver's License to
22 Pretrial Services and shall not apply for replacements.

23 **ADDITIONAL CONDITIONS**

- 24 (18) Refrain from any use of alcohol.

25 **SUBSTANCE ABUSE EVALUATION AND TREATMENT**

26 If Defendant is required to submit to a substance abuse evaluation, inpatient
27 or outpatient treatment, the following shall apply:

28

1 Defendant shall complete treatment indicated by an evaluation or
2 recommended by Pretrial Services and shall comply with all rules of a treatment
3 program. Defendant shall be responsible for the cost of testing, evaluation and
4 treatment, unless the United States Probation Office should determine otherwise.
5 The United States Probation Office shall also determine the time and place of testing
6 and evaluation and the scope of treatment.

7 Prior to commencing any evaluation or treatment program, Defendant shall
8 provide waivers of confidentiality permitting the United States Probation Office and
9 the treatment provider to exchange without qualification, in any form and at any
10 time, any and all information or records related to Defendant's conditions of release
11 and supervision, and evaluation, treatment and performance in the program. It shall
12 be the responsibility of defense counsel to provide such waivers.

13 Following any evaluation or treatment ordered here, Defendant shall complete
14 any recommended aftercare program.

15 **(26) Outpatient Treatment:** Defendant shall participate in an outpatient
16 substance abuse treatment program as directed by Pretrial Services

17 **(27) Prohibited Substance Testing: If random urinalysis testing is not done**
18 **through a treatment program, random urinalysis testing shall be**
19 **conducted through Pretrial Services, and shall not exceed six (6) times**
20 **per month.** Defendant shall submit to any method of testing required by the
21 Pretrial Service Office for determining whether the Defendant is using a
22 prohibited substance. Such methods may be used with random frequency and
23 include urine testing, the wearing of a sweat patch, a remote alcohol testing
24 system, and/or any form of prohibited substance screening or testing.
25 Defendant shall refrain from obstructing or attempting to obstruct or tamper,
26 in any fashion, with the efficiency and accuracy of prohibited substance
27 testing.

28 **IT IS SO ORDERED.**

DATED December 2, 2019.



A handwritten signature in black ink, appearing to be "M" or "Rodgers", written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE